REMARKS

In the Office Action mailed February 27, 2009, the previously filed Request for Continued Examination (RCE) was acknowledged.

Claims 1-7 and 9-16 were objected to.

Claims 1-7 and 9-16 were rejected under 35 USC §112, second paragraph for allegedly being indefinite.

Claims 1, 3, 4, 9, 10, 14, and 16 were rejected under 35 USC §102(b) for alleged anticipation by US Patent 5,309,751 to Ryan.

Claim 2 was rejected under 35 USC §103(a) for alleged obviousness over Ryan.

Class 5 was rejected under §103 (a) for alleged obviousness over Ryan in view of US patent 4,936,133 to Orain.

Claims 6, 7, and 11 were rejected under §103(a) over Ryan in view of US Patent Application Publication 2003/0089360 to Eckert.

Claim 12 was rejected under §103(a) over Ryan in view of US Patent 3,851,285 to Rothfuss et al.

Claim 13 was rejected under §103(a) over Ryan in view of JP 6118574A to Kamishiro et al.

Claim 15 was rejected under §103 (a) over Ryan in view of US Patent 6,393,885 to Cadena.

Claims 1, 2, 7, 15 and 16 have been amended. Claims 1-7 and 9-16 remain pending for the Examiner's consideration. It is believed that in view of the clarifications presented herein, that all pending claims are in condition for allowance.

A. Objections to Claims Have Been Remedied and Should Now be Withdrawn

Dependent claim 2 has been amended in accordance with the helpful suggestions from the Examiner. Accordingly, it is believed that the objections have been remedied and should now be withdrawn.

B. Rejection of Claims 1-7 and 9-16 under §112, Second Paragraph Has Been Remedied and Should Now be Withdrawn

These claims were rejected for allegedly being indefinite. Specifically, the Office contended that claims 1, 15, and 16 lack antecedent basis for the term "the clamping jaws." Each of these claims has been amended to recite that the pressing tool includes "clamping jaws." No new matter is added by this amendment since the specification and figures describe a tool including clamping jaws 62. It is believed that the alleged lack of antecedent basis has now been remedied.

Each of the independent claims, i.e. claims 1, 15, and 16, also recites in part, "that the clamping jaws at the rear are pressed apart by the rollers." The Office asserted that this recitation is indefinite and suggests that there is a second set of jaws "at the rear."

It is respectfully submitted that a reading of the specification and review of the figures in the present application indicate that the phrase "at the rear" refers to engagement between the rollers and the clamping jaws during pressing. This is described on page 2, last full paragraph and by reference to figures 1-5.

However, in order to further remedy and overcome this ground rejection, each of the independent claims has been amended to recite that "the pressing is accomplished

in that the clamping jaws are pressed apart by the rollers at the rear of the clamping jaws."

Claim 7 was also amended to remedy the alleged antecedent basis matter.

It is respectfully submitted that the rejection under §112, second paragraph has been remedied and should now be withdrawn.

C. Rejection of Claims 1, 3, 4, 9, 10, 14, and 16 Under §102 Should be Withdrawn

Claims 1, 3, 4, 9, 10, 14, and 16 were rejected under 35 USC §102 for allegedly being anticipated by US Patent 5,309,751 to Ryan. The '751 patent to Ryan is directed to a crimping tool that utilizes an assembly of links with rollers that engage a camming surface provided by a wedge which is urged between the links by an air actuated member. The '751 patent was cited as the sole or primary reference in the most recent rejections by the Office. As explained below, upon closer review of the '751 patent, it will be appreciated that Ryan fails to disclose or teach numerous aspects of the subject matter recited in the pending claims.

1. Ryan Fails to Disclose Roller Holder Unit

Claim 1 recites "a roller holder unit..." This roller holder is described and shown in the specification and figures of the present application. Generally, this roller holder unit is disposed between and maintained between a piston rod 52 and a pair of rollers 2.

The '751 patent was cited for allegedly identically disclosing all aspects of claim 1. However, the Office in its rejection on page 3 of the Action, did not identify any corresponding structure in Ryan's assembly that purportedly corresponds to the recited "roller holder unit." This is because the '751 patent does not disclose a roller holder unit. Ryan's assembly does not use a roller holder unit. For at least this reason, the present rejection under §102 fails and must be withdrawn.

2. Ryan Fails to Disclose Clamping Jaws

Independent claim 1 also recites in part, "a roller holder unit...for use with [a] tool with clamping jaws." The '751 patent to Ryan entirely fails to disclose clamping jaws or a tool with clamping jaws. Instead, Ryan discloses a pair of dies 48 and 50.[1] The die pair 48, 50 does not in any manner correspond to clamping jaws or to a clamping pincer. Thus, Ryan fails to disclose "clamping jaws" as recited in claim 1. Regardless, other deficiencies exist with regard to the present rejection.

3. Ryan Fails to Disclose Rollers Roll on Clamping Jaws

Claim 1 further recites that "the rollers roll on the clamping jaws of a clamping pincer." Assuming for purposes of argument that dies 48 and 50 correspond to the recited "clamping jaws" or "clamping pincer," a review of the '751 patent to Ryan reveals that Ryan's rollers do not roll on the dies 48, 50. Referring to Figures 1 and 2 of that patent, it is evident that during pressing, as the air actuated member from cylinder

[1] In the reasons for the rejection, the Examiner equated dies 48 and 50 to the recited "clamping pincer" which is shown in Fig. 1 of the present application as item 60.

14 moves toward the dies 48, 50, the rollers 62 roll on a wedge 72 which is attached to a piston rod 70. The rollers 62 and the wedge 72 provide a camming action as the rollers 62 roll along the inclined surfaces of the wedge 72. Depending upon the extent of linear displacement of the wedge 72, the rollers 62 are displaced laterally apart from one another, thereby also spreading apart their respective links 60. And so, Ryan's rollers do not roll on clamping jaws or the dies 48, 50. Furthermore, it will be appreciated that Ryan's rollers 62 do not roll on the dies 48, 50, or any component which could be considered as corresponding to the recited clamping jaws. Thus, Ryan fails to disclose that "the rollers roll on the clamping jaws of a clamping pincer" as recited in claim 1.

4. Ryan Fails to Disclose Bearing Block Having Particular Surface Shape

Yet another deficiency associated with the present rejection is the absence of any component in Ryan's assembly corresponding to the recited bearing block called for in claim 1. Claim 1 recites the bearing block "is provided with an arcuate sliding bearing surface...which in its shape corresponds to the roll surface and thus to the outer diameter of the cylindrical roller."

In the present rejection, the Office equated Ryan's wedge 72 with the claimed bearing block. However, Ryan fails to disclose the wedge 72 having a shape that "corresponds to the roll surface and thus to the outer diameter of the cylindrical roller." This feature of the claimed roller holder is described on page 4 and shown in the figures of the present application.

In contrast, Ryan discloses a wedge 72 having shape which is described in the '751 patent as follows:

> A profile view of the wedge 72 is shown in FIG.9. The wedge is symmetrical having two opposite camming surfaces 76 that engage the four rollers 62. As is shown, each surface 76 is composed of three radiuses R1, R2, and R3 that intersect smoothly. The radiuses R1, R2, and R3 have the values of 0.2596, 0.4152, and 2.9383 inches respectively, in the present example. The positions of the radiuses X1, Y1; X2, Y2; and X3,Y3 are 0.2138, 0.0574; 0.2754, 0.2003; and 0.7796, 2.6725 inches respectively, in the present example .These values of R, X, and Y have been chosen to cooperate with the geometry of the rollers 62 and 64 and the links 60 to generate a mechanical advantage that changes during the movement of the die 48. This changing mechanical advantage results in a varying amount of force that is made available at the crimping dies 48 and 50 during the crimping cycle.

Col. 3 , lines 32-48 of the '751 patent. This complex camming surface is very different than the claimed shape.

Therefore, it will be appreciated that Ryan fails to disclose a bearing block (e.g. the wedge 72 as argued by the Office) which "corresponds to…the outer diameter of the cylindrical roller."

5. Ryan Fails to Disclose Bearing Block With Retaining Plate and Rollers

Furthermore, another deficiency associated with the present rejection is that Ryan fails to disclose a bearing block and "at least one lateral retaining plate arranged thereon in which two cylindrical rollers are held secured in a freely rotatable manner" as recited in claim 1.

In support of the present rejection, the Office asserted that item 22 in the '751 patent corresponds to the recited "at least one lateral retaining plate." However, a detailed review of the '751 patent reveals that item 22 refers to inwardly turned flanges 22 (see col. 2, lines 33-40 of the '751 patent) of shell members 18. The Office further

contended that item 22 is arranged on the bearing block. Specifically, in support of the rejection, the Office equated Ryan's wedge 72 with the bearing block called for in claim 1. And, thus, the rejection is based upon the flanges 22 purportedly being arranged on the wedge 72. Referring to the '751 patent to Ryan, upon further review it will be seen that the flanges 22 of the shell members 18 are stationary and do not move with the wedge 72. This is further confirmed by noting that Ryan refers to rollers 64 which are attached to the flanges 22 of shell members 18, as "fixed rollers 64," see col. 3, line 59. Thus, upon further consideration of the '751 patent, it will be appreciated that the flanges 22 are not arranged "on" the wedge 72 (which the Office asserts to correspond to the recited bearing block).

For at least these numerous reasons, independent claim 1 is not anticipated by the '751 patent to Ryan. That is, claim 1 is not anticipated by the '751 patent because that patent fails to disclose a roller holder unit, fails to disclose clamping jaws, fails to disclose rollers that roll on clamping jaws, fails to disclose a bearing block having a particular surface shape, and fails to disclose a bearing block with at least one retaining plate and rollers. Since claim 1 is not anticipated by Ryan, then neither are any of claims 3, 4, 9, 10 and 14 which depend therefrom and so contain all of the recitations of claim 1. "To anticipate, every element and limitation of the claimed invention must be found in a single prior art reference, arranged as in the claim." *Brown v. 3M*, 265 F.3d 1349, 60 USPQ2d 1375 (Fed. Cir. 2001).

Claim 10 also recites yet another feature of the claimed roller holder which is not disclosed by Ryan. Claim 10 calls for "the bearing block, the sliding bearing surfaces, and retaining plates are of one piece."

Referring to the assembly of Ryan and the allegedly corresponding components, it is evident that the wedge 72 (asserted to correspond to the bearing block), the camming surfaces 76 of the wedge 72 (asserted to correspond to the sliding bearing surfaces), and the flanges 22 (asserted to correspond to the retaining plates) are not of one piece. Instead, as previously explained, the wedge 72 moves relative to the flanges 22 as illustrated in Figures 1 and 2 of the '751 patent. For at least this reason, claim 10 is not anticipated by Ryan.

Claim 14 also recites another feature not disclosed by Ryan. Claim 14 recites that "the rollers are without through-bores." Referring to the '751 patent to Ryan, the rollers 62 are described as being "journaled", see col. 3, line 6. As will be understood, the term "journal" refers to the part of a machine shaft or axle, typically supported by a bearing. Or more specifically, the term refers to the part of a rotating shaft or axle that turns in a bearing. Thus, the term "journaled" as used by Ryan clearly indicates that the rollers 62 use some type of shaft or axle assembly for enabling the rollers 62 to rotate within the links 60. This suggests that Ryan's rollers 62 are provided with through-bores. Regardless, nowhere in the '751 patent is there any disclosure that the rollers 62 are provided "without through-bores" as recited in claim 14. "For a prior art reference to anticipate in terms of 35 USC §102, every element of the claimed invention must be identically shown in a single reference." *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

Independent claim 16 parallels previously discussed claim 1 and so the Office is respectfully directed to that discussion as to why Ryan fails to anticipate claim 16. Specifically, claim 16 is not anticipated by the '751 patent because that patent fails to

disclose a roller holder unit, fails to disclose clamping jaws, fails to disclose rollers that roll on clamping jaws, fails to disclose a bearing block having a particular surface shape, and fails to disclose a bearing block with at least one retaining plate and rollers.

In view of the foregoing, it is submitted that none of claims 1, 3, 4, 9, 10, 14, and 16 are anticipated by the '751 patent to Ryan. Accordingly, the present rejection under §102 of these claims should be withdrawn.

D. Rejection of Claim 2 Under §103 (a) Should be Withdrawn

Claim 2 was rejected under 35 U.S.C. §103 (a) for allegedly being obvious and thus unpatentable over Ryan. In the rejection of this claim, the Office admitted that, "Ryan does not explicitly disclose that his rollers are supported on the retaining plate through the use of pins." Page 4 of the Office Action. However, since claim 2 depends from claim 1, claim 2 contains all of the recitations of claim 1. Therefore, claim 2 contains numerous other features and recitations which are not taught or described as previously explained herein in section C. Specifically, Ryan fails to describe a "roller holder unit." Ryan fails to describe "clamping jaws" or a "clamping pincer". Instead, Ryan teaches the use of a pair of dies 48, 50. Ryan also fails to teach or describe "that rollers roll on the clamping jaws of a clamping pincer." Instead, Ryan teaches rollers that roll on a wedge 72. The assembly of Ryan and configuration of the rollers, is entirely different than that recited in claim 2. Ryan also fails to teach or describe a bearing block that "is provided with an arcuate sliding bearing surface...which in its shape corresponds to the roll surface and thus to the outer diameter of the cylindrical roller." Instead, Ryan teaches a wedge having camming surfaces. Furthermore, Ryan

fails to disclose a bearing block having "at least one lateral retaining plate arranged thereon in which two cylindrical rollers are held secured in a freely rotatable manner." Instead, Ryan teaches stationary flanges 22 which do not move with the wedge 72.

Another fatal deficiency associated with not only the obviousness rejection of claim 2, but for all the obviousness rejections, is that no rationale or explanation was provided why an artisan would look to the '751 patent to Ryan. Specifically, why would an artisan, interested in designing a roller holder that was less complicated than currently known roller holders,[2] look to the teachings of the '751 patent to Ryan? Ryan's crimping tool does not use a roller holder! Moreover, Ryan's cam, roller, and multiple linkage assembly would not provide a less complicated roller holder as argued by the Office.

For at least these many reasons, it will be appreciated that the '751 patent fails to teach or describe the subject matter of claim 2. Accordingly, the present rejection should be withdrawn.

E. Rejection of Claim 5 Under §103(a) Should be Withdrawn

Claim 5 was rejected under 35 U.S.C. §103(a) for allegedly being obvious and thus unpatentable over Ryan in view of US Patent 4,936,133 to Orain. In order to remedy the deficiencies of the '751 patent to Ryan, the '133 patent to Orain was cited. That patent merely discloses a method for manufacturing grooved trunnions. The '133

[2] This is a stated objective of the present invention, see pages 1 and 2 of the application.

patent has nothing to do with a roller holder unit as recited in claim 5. In the grounds of rejection, the Office admitted that Ryan failed to teach including a lubrication groove in the sliding bearing surfaces. In addition, since claim 5 is dependent on claim 1, claim 5 contains all of the features and recitations of claim 1.

Specifically, Orain entirely fails to teach or describe a roller holder unit. Orain also fails to teach or describe clamping jaws or a clamping pincer as recited in claim 1. Furthermore, Orain fails to teach or describe rollers that roll on clamping jaws as recited in claim 1. In addition, Orain fails to teach or describe a bearing block having a particular surface shape as recited in claim 1. Moreover, Orain fails to teach or describe a bearing block with retaining plate and rollers as called for in claim 1.

For at least these numerous reasons, it will be appreciated that neither of the '751 patent to Ryan nor the '133 patent to Orain, taken singularly or in any combination, teach or describe the subject matter of claim 5. Accordingly, it is respectfully submitted that the present rejection be withdrawn.

F. Rejection of Claims 6, 7, and 11 Under § 103(a) Should be Withdrawn

Claims 6, 7, and 11 were rejected under 35 U.S.C. §103(a) for allegedly being obvious and thus unpatentable over Ryan in view of US 2003/0089360 to Eckert. In support of this ground of rejection, it was admitted that Ryan fails to teach or describe a surface of the sliding bearing surfaces and the surface of the rollers being coated or hardened so that it has a low friction with respect to the rollers and wherein the rollers include a surface consisting of steel. The '360 publication to Eckert was relied upon to purportedly remedy this deficiency of Ryan.

However, upon further review of the '360 publication, it will be appreciated that this reference is irrelevant to the present matter. Eckert describes a bow string release such as used in archery. Why would an artisan interested in designing a roller holder unit for a press tool, look to prior art relating to archery?

Eckert completely fails to teach or describe numerous other features and aspects recited in claims 6, 7, and 11 via their dependency upon claim 1. For example, Eckert fails to teach or describe a roller holder unit. Eckert also fails to teach or describe clamping jaws or a clamping pincer as recited in claim 1. Furthermore, Eckert fails to teach or describe rollers that roll on clamping jaws as recited in claim 1. In addition, Eckert fails to teach or describe a bearing block having a particular surface shape as recited in claim 1. Moreover, Eckert fails to teach or describe a bearing block with retaining plate and rollers as called for in claim 1.

For at least these numerous reasons, it will be appreciated that none of claims 6, 7, and 11 are rendered obvious by Ryan and Eckert. Thus, the present rejection should be withdrawn.

G. Rejection of Claim 12 Under §103(a)Should be Withdrawn

Claim 12 was rejected under 35 U.S.C. §103(a) for allegedly being obvious and thus unpatentable over Ryan in view of US Patent 3,851,285 to Rothfuss et al. It was admitted that Ryan does not teach or describe an aspect in which the sliding bearing surface includes a surface of Teflon. And so in an attempt to support the rejection of claim 12, the '285 patent to Rothfuss was cited.

However, the '285 patent has nothing to do with roller holders as recited in claim 12. Instead, Rothfuss describes control magnets for hydraulic control system valves.

Furthermore, the '285 patent to Rothfuss et al. entirely fails to describe the many other deficiencies of the primary reference, the '751 patent to Ryan. Specifically, Rothfuss fail to teach or describe a roller holder unit. Rothfuss also fails to teach or describe clamping jaws or a clamping pincer as recited in claim 1. Furthermore, Rothfuss also fails to teach or describe rollers that roll on clamping jaws as recited in claim 1. In addition, Rothfuss fails to teach or describe a bearing block having a particular surface shape as recited in claim 1. Moreover, Rothfuss fails to teach or describe a bearing block with retaining plate and rollers as called for in claim 1.

For at least these numerous reasons, it will be appreciated that neither of the '751 patent to Ryan nor the '285 patent to Rothfuss, taken singularly or in any combination, teach or describe the subject matter of claim 12. Accordingly, it is respectfully submitted that this rejection be withdrawn.

H. Rejection of Claim 13 Under §103(a) Should be Withdrawn

Claim 13 was rejected under 35 U.S.C. §103(a) for allegedly being unpatentable over Ryan in view of JP 61118574A to Kamishiro et al. It was admitted that Ryan fails to teach or describe the bearing block being formed from a ceramic material. And so, Kamishiro et al. was relied upon for its alleged teaching of a bearing block formed from a ceramic material.

However, claim 13, via its depending from claim 1, includes numerous other recitations which are simply not taught or described by Ryan and Kamishiro.

Specifically, Kamishiro fails to teach or describe a roller holder unit. Kamishiro also fails to teach or describe clamping jaws or a clamping pincer as recited in claim 1. Furthermore, Kamishiro fails to teach or describe rollers that roll on clamping jaws as recited in claim 1. In addition, Kamishiro fails to teach or describe a bearing block having a particular surface shape as recited in claim 1. Moreover, Kamishiro fails to teach or describe a bearing block with retaining plate and rollers as called for in claim 1.

For at least these numerous reasons, it will be appreciated that neither of the '751 patent to Ryan nor the JP '574 patent to Kamishiro, taken singularly or in any combination, teach or describe the subject matter of claim 13. Accordingly, it is respectfully submitted that the present rejection be withdrawn.

I. Rejection of Claim 15 Under §103(a) Should be Withdrawn

Claim 15 was rejected under 35 U.S.C. §103(a) for allegedly being obvious and thus unpatentable over Ryan in view of US Patent 6,393,885 to Cadena. It was admitted that Ryan fails to teach or describe a recitation in claim 15 for the bearing block being provided with a sliding bearing surface for each roller formed in the bearing block as a cylindrical cut-out. And so, the '885 patent to Cadena was cited.

However, Cadena completely fails to teach or describe many other recitations included in claim 15. For example, Cadena entirely fails to teach or even suggest a roller holder unit. Cadena also fails to teach or describe clamping jaws or a clamping pincer as recited in claim 1. Furthermore, Cadena fails to teach or describe rollers that roll on clamping jaws as recited in claim 1. In addition, Cadena fails to teach or describe a bearing block having a particular surface shape as recited in claim 1.

Moreover, Cadena fails to teach or describe a bearing block with retaining plate and rollers as called for in claim 1.

For at least these numerous reasons, it will be appreciated that neither of the '751 patent to Ryan nor the '885 patent to Cadena, taken singularly or in any combination, teach or describe the subject matter of claim 15. Accordingly, it is respectfully submitted that the present rejection must be withdrawn.

J. Conclusion

In view of the foregoing, it is respectfully submitted that all claims 1-7 and 9-16, particularly as now amended, are in condition for allowance. If the Office maintains any of the present rejections, it is requested that a detailed explanation be provided as to how the '751 patent to Ryan discloses each of the elements in each of the claims rejected under §102. Furthermore, it is requested that the Office also provide a detailed explanation as to how the '751 patent teaches the subject matter of each of the claims rejected under §103. For the §103 rejections based upon the '751 patent and a secondary reference, the Office is requested to explain how each secondary reference remedies the deficiencies of the '751 patent, and why the purported combination of references is permissible.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 18-0160, our Order No. RTC-17657.

Respectfully submitted,

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